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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,150	03/22/2005	Susanne Proesch	2958-129	5562

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ROTHWELL, FIGG, ERNST & MANBECK, P.C.  
1425 K STREET, N.W.  
SUITE 800  
WASHINGTON, DC 20005

EXAMINER

GUDIBANDE, SATYANARAYAN R

ART UNIT PAPER NUMBER

1654

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO. 10520150	FILING DATE 3/22/2005	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION Susanne Proesch	ATTORNEY DOCKET NO. 2958-129
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**EXAMINER**

Satyanarayana Gudibande

**ART UNIT****PAPER**

1654

20060309

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The amendment filed on February 17, 2006 canceling claims 1-5 and withdrawing claims 6-8 drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims (claims 9-20) are not readable on the elected invention because the claims are drawn to a method of treating a patient infected with a virus. The canceled claims 1-5 and withdrawn claims 6-8 were drawn to method of manufacture of a medicament for the treatment of an individual infected with a virus. The two inventions are Inventions the method of manufacturing the medicament and method of treating the viral infection are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, the different inventions the method of manufacturing the medicament comprises of different method steps that are distinct from the method steps involved in treating a viral infection.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satyanarayana R. Gudibande whose telephone number is 571-272-8146. The examiner can normally be reached on M-F 8-4.30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bruce Campell can be reached on 571-272-0974. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**BRUCE R. CAMPPELL, PH.D**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 1600**

Satyanarayana R. Gudibande, Ph.D.  
Art Unit 1654